

## WRITTEN OPINION

International application No. PCT/IT 03/00260

## I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

**Description, Pages**

1-12 as originally filed

**Claims, Numbers**

1-9 as originally filed

**Drawings, Sheets**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-8
Inventive step (IS)	Claims	9
Industrial applicability (IA)	Claims	

**2. Citations and explanations****see separate sheet**

**Clarity**

- 1 The expression "in particular" in line 1-2 in claim 1 makes the meaning of claim 1 unclear because:
  - (i) This expression makes the features following this expression purely optional, e.g. the feature "fixed supporting head", but later in claim 1 it is referred to the "fixed supporting head". Since the feature "fixed supporting head" is optional, a reference is being made to a feature that has not been mentioned before.  
Consequently, there is a lack of clarity.
- 1.1 A corresponding situation applies to the other features following the expression "in particular", up to the expression "at one end of the tower". These features are also necessary to make the meaning of claim 1 clear.
- 1.2 Therefore, the expression "in particular" should preferably be deleted (Article 6 PCT, PCT/GL/IPE, C-III-4.6).

**Cited documents**

- 2 Reference is made to the following documents:  
D1: GB-A-2 163 805  
D2: FR-A1-2 761 394  
Document D1 is considered to represent the closest prior art.

**Lack of novelty**

- 3 The present application does not meet the requirements of Article 33(2) PCT, because the subject-matter of claims 1-8 is not new.

**Claim 1**

- 3.1 Document D1 (the reference signs in brackets refer to D1) discloses the following features of claim 1 (see abstract, page 1, line 3-10, line 90-98, line 110-129, page 2, line 10-93, figures 1-9):
  - 3.11 A mobile ring connecting/release device (2, 3, 4), for a high mast with a tower with predetermined height and a fixed supporting head (1) at one end of the tower,

comprising connecting means attached to the mobile ring in such a way as to removably connect it to the fixed supporting head (1),

wherein the connecting means of the connecting/release device (2, 3, 4) comprise rigid contact elements (3) shaped in such a way that they rest on corresponding supporting head (1) contact portions (10, 12)

3.12 Consequently, the subject-matter of claim 1 is not new considering what is known from document D1.

3.13 Also in light of what is described in document D2 the subject-matter of claim 1 is not new (see abstract, page 1, figures).

#### Claims 2-8

3.2 Dependent claims 2-8 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and inventive step, the reasons being as follows:

3.3 The additional features provided in these claims are known from document D1, where mobile ring (1) upright (11) in the invention equals carrying member (2) in D1, guides (10) in the invention equals tubular member (4) in D1, pusher body (13) equals wall of tubular member (4) in D1, pin (12) in the invention equals pivot pin (7) in D1 (see abstract, page 1, line 3-10, line 90-98, line 110-129, page 2, line 10-93, figures 1-9) .

3.4 Consequently, the subject-matter of claims 2-8 is not new considering what is known from document D1.

#### **Lack of inventive step**

4 Dependent claim 9 does not contain any features which, in combination with the features of any claim to which it refers, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

4.1 In claim 9 a slight constructional change in the mobile ring connecting/release device of the preceding claims is defined which comes within the scope of the customary

practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claim 9 lacks an inventive step.

**Additional deficiencies**

5 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.

5.1 The description must be brought into conformity with the amended claims to be filed; care should be taken during revision, especially of the introductory portion including any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed and to avoid any infringement of Article 34(2) PCT.

**Remarks**

6 The applicant is requested to file amendments by way of replacement pages in the manner stipulated by Rule 66.8(a) PCT. In particular, fair copies of the amendments should be filed preferably in triplicate.

6.1 Moreover, the applicant's attention is drawn to the fact that, as a consequence of Rule 66.8(a) PCT the examiner is not permitted to carry out any amendments under the PCT procedure, however minor these may be.